

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

EUNICE L. VARNER,

Plaintiff,

Case No. 07-14461

v.

Honorable John Corbett O'Meara

R. JAMES NICHOLSON, Secretary of
Department of Veterans Affairs Agency,

Defendant.

ORDER OF DISMISSAL

Plaintiff Eunice L. Varner filed this complaint October 19, 2007. An order was entered November 27, 2007, reassigning this case from the docket of Judge Sean F. Cox as a companion case to Case No. 07-10211, which was previously assigned to this court. The subject matter of the two complaints is identical.

One May 7, 2008, this court entered an opinion and order granting summary judgment in favor of the defendants and entered judgment in favor of the defendants in the previously filed case. Because the two cases have been deemed to be companion cases and because the parties and issues at suit are identical, the court must dismiss this suit. This matter has come to the attention of the court following plaintiff's Varner's appeal of the May 7, 2008 order filed in Case No. 07-10211.

Therefore, it is hereby **ORDERED** that this matter is **DISMISSED**.

s/John Corbett O'Meara
United States District Judge

Date: July 29, 2008

I hereby certify that a copy of the foregoing document was served upon the parties of record on this date, July 29, 2008, by electronic and/or ordinary mail.

s/William Barkholz
Case Manager